

**MINUTES  
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD**

April 22, 2021

The West Virginia Contractor Licensing Board met on April 22, 2021, at 9:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 124 – Charleston, West Virginia.

**BOARD MEMBERS PRESENT**

Jacob Meck, Chair  
Manny Alvarez  
Ted Brady  
Mary Cleland  
Michael Davis  
Amy Fairman  
Frank R. Ferguson  
James M. Noel  
Charles K. Smith  
Steven Solomon

**BOARD MEMBERS ABSENT**

None

**OTHERS PRESENT**

Mitchell E. Woodrum, Commissioner  
Brooke Farber, Deputy Commissioner/Legal Counsel  
Kathy Rucker, Labor Program Manager  
Brian White, Labor Program Manager  
Kimberly Legg, Board Secretary

**MEETING CALLED TO ORDER**

A quorum being present, Mr. Meck called the meeting to order at 9:30 a.m.

**APPROVAL OF AGENDA**

Mr. Brady made a motion to amend the agenda's start time from 10:00 to 9:00 am. due to a typographical error on the original agenda. Mr. Smith seconded. Motion carried.

Mr. Brady made a motion to approve the amended agenda of the April 22, 2021 board meeting. Mr. Alvarez seconded. Motion carried.

**APPROVAL OF MINUTES**

Mr. Smith made a motion to approve the minutes of the December 17, 2020 teleconference. Mr. Brady seconded. Motion carried.

**PUBLIC COMMENT**

No one appeared for public comment.

## **LICENSEE DISCIPLINARY HEARINGS**

### **A. Hawkins Construction, LLC – Morgantown, WV – WV051523 (Preston County Magistrate Court judgment in the amount of \$2,004.00 plus costs and interest)**

Ms. Farber explained to the Board regarding Hawkins Construction. No one appeared on behalf of Hawkins Construction, but the company provided a copy of a release of judgment prior to the meeting.

Mr. Brady made a motion to take no action. Ms. Fairman seconded. Motion carried.

### **B. W. Harley Miller Contractors, Inc. – Martinsburg, WV – WV005270 (Hiring unlicensed subcontractors)**

Ms. Farber explained to the Board regarding W. Harley Miller Contractors. No one appeared on behalf of the company, but a written response with an action plan was submitted prior to the meeting.

Mr. Brady made a motion to take no action and accept company's action plan. Mr. Smith seconded. Motion carried.

## **CEASE AND DESIST ORDERS**

### **A. Advisory Letters**

Mr. Brady made a motion to accept staff recommendations. Mr. Alvarez seconded. Motion carried.

### **B. \$200.00 Fines**

*UL015567 – John Flinn appeared on behalf of First Choice Air & Contracting*

Mr. Brady made a motion to accept staff recommendations. Mr. Noel seconded. Motion carried.

### **C. \$500.00 Fines**

Mr. Alvarez made a motion to accept staff recommendations. Mr. Brady seconded. Motion carried.

### **D. \$1,000.00 Fines**

Mr. Brady made a motion to accept staff recommendations. Mr. Noel seconded. Motion carried.

## **ACCEPTING HUD INSTALLER LICENSE IN LIEU OF MHI EXAM**

Mr. Brady made a motion to begin accepting the HUD installer license issued to companies in default states in lieu of taking the Manufactured Home Installation exam. Ms. Cleland seconded. Motion carried.

## **DOL REPORT**

- A report was provided to the Board on Advisory Letters sent to prime contractors for hiring unlicensed subcontractors.

Mr. Smith made a motion to bring Thomas Builders before the Board again to address the additional unlicensed subcontractors found working on their job sites after being brought before the Board at the December 17, 2020 meeting. Mr. Brady seconded. Motion carried.

## **LEGISLATION CHANGES**

Mr. Meck made a motion to go into executive session to discuss the Legislature moving the Contractor Licensing Board to Chapter 30. The Board voted unanimously in the affirmative.

Mr. Meck made a motion to go back on the record to adjourn.

## **NEXT MEETING DATE**

A meeting to work on the changes needed for the move to Chapter 30 was scheduled for May 20, 2021 at 9:00am.

A regular board meeting to address usual business was scheduled for June 30, 2021 at 9:00am.

## **ADJOURNMENT**

Ms. Cleland made a motion to adjourn at 11:07 a.m. Mr. Brady seconded. Motion carried.

Approved:



Jacob Meck, Chair